

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

CASSIUS M. CLAY, SR., : Civil Action No. 05-125E
Plaintiff, : Judge Sean J. McLaughlin
V. : Judge Susan P. Baxter
07 AUG 14 12:04
TRACY RREVES, et al., :
CLERK
U.S. DISTRICT COURT
Defendants, :

**MOTION FOR EXTENSION OF TIME TO
FILE OBJECTIONS TO THE REPORT AND RECOMMENDATION**

NOW COMES INTO COURT, CASSIUS M. CLAY SR., Pro-Se, Plaintiff, and Pursuant to this Court's Order of 7-26-07, that he could respond to the Magistrate's Report and Recommendation.

1. The Plaintiff states that while at S.C.I. Forest he received the Magistrate Judge's Report & Recommendation in this Matter on August 1, 2007, Although it was entered on July 26, 2007.

2. The Electronic filing notice, which was sent with the Report and Recommendation has a date of August 13, 2007, as a due date to have any Objections to the Report & Recommendation filed.

3. On August 2, 2007, the Plaintiff was Transferred to S.C.I. Pittsburgh, where he now resides.

4. The Plaintiff states that he has not yet received all of his Legal Materials concerning this case, and according to staff here, and D.O.C. Policy 815 IV(G)(), (in the inmate Handbook) it can take up to 30 days to be shipped.

5. The Plaintiff also states that the Law-Library is not up and running, (where they only have one(1) law computer for over 500

inmates, and no Federal Forms Books) also the library is only open for one(1) hour, each site, with one broken Typewriter.

6. This Plaintiff has sent his Typewriter out for repair, and has contacted the repair company to see when they can return it.

7. The Plaintiff also states that there no copy machines which he can immediately access, but was told to write the Principal to see about getting his petition(s) copied, which I've done.

8. The Plaintiff was also told that our Money was not sent down by S.C.I. Forest with us, as such our commissary slips (which we turned in on Sunday 8-5-07, and cannot receive until the next Monday 8-13-05) may have to be re-done, and may take 2 more weeks until we get our envelopes?

9. Lastly, the Plaintiff only receives General Labor Pool Remuneration Rates of \$13.43 per month on average, and is unsure of the various postal rates here, and if they will let him go in there?

10. For all of the Aforesaid reasons, and/or Good Cause shown, the Plaintiff contends that he cannot make the 8-13-07 deadline, and requests an additional 20 days until 9-4-07 to have his Objections filed, in the interest of justice.

WHEREFORE, the Plaintiff Respectfully Requests that this Honorable Court will Grant him an Additional 20 day's to Respond, as the Excusable delay would not Prejudice the Respondent's.

By: Cassius M. Clay Sr.

CASSIUS M. CLAY SR.

P.O. BOX 99991

Pittsburgh, PA 15233

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CASSIUS M. CLAY, SR.,	:	Civil Action No. 05-125-E
Plaintiff,	:	Judge Sean J. McLaughlin
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	:	
TRACY REEVES, et al.,	:	
Defendants,	:	

STATEMENT OF VERIFICATION

I, CASSIUS M. CLAY SR., Verify that the foregoing is True and Correct, to the best of my Knowledge, Information, and Ability. I Understand that False Statements made herein are subject to the Penalties of 28 U.S.C. Section 1746, Relating to Unsworn Falsification to Authorities.

Dated: August 10th, 2007.

Cassius M. Clay Sr.

CASSIUS M. CLAY SR. DQ5954
P.O. BOX 99991
Pittsburgh, PA 15233

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:
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Defendants, :

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a True and Correct Copy of this Foregoing instrument, has been Mailed, Postage Prepaid, on this 10th day of August, 2007, to MARY LYNCH FRIEDLINE, Senior Deputy Attorney General, Office of the Attorney General, 5th Floor, Manor Complex, 564 Forbes Avenue, Pittsburgh, PA 15219, by Depositing the same in the Mail Box at S.C.I. Pittsburgh.

The aforesaid was done Under the Penalty of Perjury (28 U.S.C.A. Section 1746).

Dated: August 10th, 2007.

Cassius M. Clay Sr.

CASSIUS M. CLAY SR. DQ5954
P.O. BOX 99991
Pittsburgh, PA 15233